CITY COUNCIL
MINUTES

Tuesday, May 29, 2001
7:00 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Acting Mayor F. D’Amico
Councillors A. Bain, D. Braden, M. Caplan, C. Collins,
L. DiIanni, M. Ferguson, A. Horwath, T. Jackson, B. Kelly,
M. McCarthy, S. Merulla, D. Mitchell, B. Morelli,

Absent with regrets: Mayor R. Wade – City Business
Councillor R. Powers - Vacation

Acting Mayor F. D’Amico called the meeting to order and asked all to rise for the playing of
the National Anthem.

Acting Mayor F. D’Amico called upon Reverend Katharine Morgan of Christ Church
Anglican Church to lead members of Council and the audience in prayer.

APPROVAL OF THE AGENDA

(Kelly/McCarthy)
That the Agenda for the City Council meeting being held on May 29, 2001 be approved as
amended. CARRIED.

DECLARATIONS OF INTEREST

Mayor R. Wade requested declarations of interest by members of Council.

Committee of the Whole Report 01-016
Item 18  Award of Banking and Custodial Services (RFP #C6-200) (FCS01047)

Acting Mayor F. D’Amico declared an interest as he is employed by the Royal Bank.
Councillor S. Merulla declared an interest as his wife is employed by the Royal Bank.

Legal Settlement

Councillor M. Ferguson declared an interest as he provides industrial equipment to a company contracted by Philip Services Co.

CEREMONIAL ACTIVITIES

Members of Council were introduced to the Honourable Giovanni Pace, President of the Region of Abbruzzo, who brought greetings on behalf of his Region to the City of Hamilton. In addition to strengthening business ties between his community and the City, the purpose of Mr. Pace’s visit to the City was also to encourage an educational student exchange with the students from his Region.

MINUTES

(Collins/Caplan)
That the minutes of the meeting of City Council held on May 15, 2001 be approved as circulated. CARRIED.

COMMUNICATIONS

(Braden/Caplan)
That Communication 5.1 from the Greater Toronto Services Board respecting “Development Charges – GO Transit”, be referred to the Committee of the Whole for further discussion and debate. CARRIED.

(Ferguson/Dilanni)
That Council move into Committee of the Whole for consideration of the Hearings Sub-Committee and Committee of the Whole Reports. CARRIED.

HEARINGS SUB-COMMITTEE REPORT 01-012

Item 5 Request for Approval of a Draft Plan of Subdivision “Garner Grove”, and a Change in Zoning – 219 Garner Road (Ancaster) PD010439

(Ferguson/Collins)
That Item 5 be referred back to staff. CARRIED.
NOTE: Items 7 to 9 are re-numbered Items 6 to 8 to correct a typographical error.

Item 6  RPR Environmental – Application for an Amendment to Certificate of Approval No. A650214 for 164-166 South Service Road (Stoney Creek) (PD01103)

(Dilanni/Ferguson)
That Item 6 be tabled to the next meeting of Council.  
CARRIED.

Item 8  Delegations regarding Recreation User Fees

(Mitchell/McCarthy)
That the following be added as subsection (c):

“c) That Councillors D. Braden, C. Collins and S. Merulla be appointed to serve on the Ice Rates and Allocation Sub-Committee.”  
CARRIED.

(Dilanni/Ferguson)
That the Twelfth Report of the Hearings Sub-Committee, as amended, be adopted and the information section received.  
CARRIED.

HEARINGS SUB-COMMITTEE REPORT 01-013

(Ferguson/Dilanni)
That the Thirteenth Report of the Hearings Sub-Committee be received for information.  
CARRIED.

COMMITTEE OF THE WHOLE REPORT 01-016

Item 27  Licensing Committee Hearing – May 16, 2001

(Merulla/McCarthy)
That Subsection (a) of Item 27 be referred back to the Licensing Committee for further discussion.  
CARRIED.

(Merulla/Mitchell)
That the Sixteenth Report of the Committee of the Whole be adopted, as amended, and the information section received.  
CARRIED.
MOTIONS

(Caplan/Braden)
That Rule 9.9 of the City's Procedural By-law be invoked for this meeting of City Council to allow the introduction of an amendment respecting the citizen appointment to the Hamilton Port Authority. CARRIED.

(Collins/Caplan)
That the Mayor forward correspondence to the Hamilton Port Authority expressing Council's concern with respect to the term of office of the City's appointee to the Port Authority, and requesting that a mutual agreement be arranged. CARRIED.

(Caplan/DiIanni)
That Rule 9.9 of the City's Procedural By-law be invoked for this meeting of City Council to allow the introduction of an amendment respecting the 2001 Community Grants Budget. CARRIED.

(Caplan/DiIanni)
That Item 1 of Grants Sub-Committee Report 01-002, approved by Council on May 15, 2001, respecting the 2001 Community Grants Budget, be amended by increasing the grant to Saltfleet Go Ahead Soccer (SPTS-5) from $500 to $2,550. CARRIED.

(Horwath/Caplan)
That Rule 9.9 of the City's Procedural By-law be invoked for this meeting of City Council to allow the introduction of a motion respecting a letter of support for the designation of the Tivoli Theatre as a National Historic Site. CARRIED.

(Horwath/Caplan)
That City Council supports the designation of the Tivoli Theatre as a National Historic Site, and that a letter of endorsement, similar to that attached, be sent forwarded to Ronda Goodspeed in the National Historic Sites Directors Department. CARRIED.

NOTICE OF MOTION

None.

GENERAL INFORMATION

None.

On motion (Bain/Caplan) the Committee of the Whole moved In Camera to receive legal advice respecting a pending legal settlement.
On motion (Caplan//Collins) the Committee of the Whole reconvened in Open Session.

Legal Settlement Proposal

(Caplan//Collins)
That Legal staff be instructed to continue discussions with Philip Services Corp., and keep Council informed on an on-going basis.  
CARRIED.

BY-LAWS

(Bain/Braden)
That Rule 9 of the City’s Procedural By-law be invoked for this meeting of City Council in order to allow the introduction of two additional Bills respecting a Zoning By-law Amendment respecting lands located between the east and west leg of Silverlace Circle, east of Winona Road, Stoney Creek, and a Zoning By-law Amendment respecting lands located on Alger Court and Carlisle Road (formerly Town of Flamborough).  
CARRIED.

(Bain/Braden)
That the following be added as Bill Nos. 01-102 and 01-103:

102  A By-law to Amend Zoning By-law No. 3692-92 (Stoney Creek), as amended by Zoning By-law No. 5001-99, respecting lands located between the east and west leg of Silverlace Circle, east of Winona Road, Stoney Creek.

103  A By-law to Amend Zoning By-law 90-145-Z (Flamborough) respecting lands located on Alger Court and Carlisle Road (Flamborough).  
CARRIED.

(Bain/Braden)
That Bill Nos. 090 to 104 be passed, that the corporate seal be affixed thereto and the by-laws be signed by the Mayor and the City Clerk, and numbered as 01-90 to 01-104:

090  A By-law to raise $200,000 to aid in the Construction of Drainage Works under the Tile Drainage Act in the City of Hamilton.


092  A By-law to Incorporate City Land designated as Part 2 on Plan 62R-14109 into Elmore Drive.

093  A By-law to Incorporate City Land designated as Part 1 on Plan 62R-15423 into Highland Road West.
094 A By-law to Incorporate City Land designated as Block 50 on Plan 62M-873 into Blackburn Lane.

095 A By-law to Incorporate City Land designated as Block 51 on Plan 62M0873 into Bellstone Lane.

096 A By-law to Amend By-law No. 4818-98 (Stoney Creek), as amended, By-law 089-72 (Hamilton), as amended, and By-law R89-038 (Hamilton-Wentworth), as amended to Regulate Traffic.

097 A By-law to Amend Zoning By-law No.06593 (Hamilton) respecting land located at Municipal No. 526 Upper Paradise Road.

098 A By-law to Amend By-law No. 06593 (Hamilton) respecting lands located at Municipal Nos. 157 and 173 Rymal Road West.

099 A By-law to Amend Zoning By-law 06593 (Hamilton) respecting lands located at Municipal No. 187 Rymal Road West.

100 A By-law to Amend Zoning By-law 06593 (Hamilton) as amended by Zoning By-law No. 99-185 (Hamilton) respecting lands located at Municipal No. 360 James Street North.

101 A By-law to Extend City of Hamilton By-law No. 00-103 respecting the Exemption of Lands from Part Lot Control for Lands within “Wisemount Estates, Phase 10” Registered Plan of Subdivision 62M-889.

102 A By-law to Amend Zoning By-law No. 3692-92 (Stoney Creek), as amended by Zoning By-law No. 5001-99, respecting lands located between the east and west leg of Silverlace Circle, east of Winona Road, Stoney Creek.

103 A By-law to Amend Zoning By-law 90-145-Z (Flamborough) respecting lands located on Alger Court and Carlisle Road (Flamborough).

104 A By-law to Confirm the Proceedings of City Council.

On motion (Caplan/Horwath) Council adjourned at 9:15 p.m. CARRIED.

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Mayor

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City Clerk